

DATE: July 13, 2004
TO: Municipal Clerk
FROM: Byron E. Johnson, C.P.M.
Director of Purchasing x 4313
THRU: Aurora Wells
Interim Bid Clerk ext. 4038

Please place the following item on the **REGULAR** agenda for the Council Meeting of **JULY 20, 2004.**

Item should read as follows:

The Director of Purchasing Requests that Mayor and Council terminate Contract No. 2003-108 with Lafarge Road Markings, Ennis, Texas, for Traffic Paint for convenience pursuant to Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

The user Department was notified & a new solicitation will be issued.

Department: Street Maintenance

Contact person: Jesus Juarez, Procurement Analyst at 541-4317.

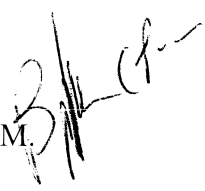
AGENDA FOR: **JULY 20, 2004**

PURCHASING DEPARTMENT

DATE: JULY 12, 2004

TO: CITY CLERK

FROM: Byron E. Johnson, C.P.M.
Director of Purchasing



Jesus M. Juarez
Procurement Analyst

Please place the following item on the REGULAR COUNCIL AGENDA for the Council Meeting of Tuesday, July 20, 2004

Item should read as follows: The Director of Purchasing Requests that Mayor and Council terminate Contract No. 2003-108 with Lafarge Road Markings, Ennis , Texas, for Traffic Paint for convenience pursuant to Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

The user Department was notified & a new solicitation will be issued.

Department: Street Maintenance

SPECIAL INSTRUCTIONS: _____

City's Clerk Use

ITEM No. _____



Agenda Item Form

Agenda Date: July 20

Districts Affected: All

Dept. Head/Contact Information: Byron Johnson, 541-4308

Type of Agenda Item:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other _____ | | |

Funding Source:

- ☒ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☐ Other Source: _____

Legal:

- ☒ Legal Review Required Attorney Assigned (please scroll down): Ruth Reyes ☐ Approved ☐ Denied

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days: _____

Why is this item necessary:

Traffic paint is constantly used on streets, current contract was with La Farge Road Markings but have been bought out by Ennis Paint. As per phone conversation with Diane(Ennis Contract Administration) we have been trying to get a consent of assignment to transfer the contract from La Farge to Ennis. We have been unsuccessful and per Diane, she requested we terminate the current contract (#2003-108) with La Farge as they are unable to get the necessary signatures from La Farge for the consent of assignment.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

Ongoing yearly purchase.

Statutory or Citizen Concerns:

Street Safety.

Departmental Concerns:

Street safety for the public.

MEMORANDUM

***CITY OF EL PASO
PURCHASING DEPARTMENT***

DATE: JULY 15, 2004

**FROM: JESUS M. JUAREZ
PROCUREMENT ANALYST
PURCHASING DEPARTMENT**

**RE: TERMINATION FOR CONVENIENCE OF CONTRACT
#2003-108-TRAFFIC PAINT-LAFARGE ROAD
MARKINGS, INC., ENNIS ,TEXAS**

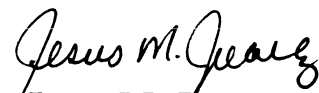
After having proceeded to obtain a Consent of Assignment , in which Lafarge Road Markings was purchased by Ennis Paint, the required signature (s) of Lafarge officials were not obtainable.

Diane of (Ennis Contract Administration) after various attempts to obtain the signature(s), stated to me that although Ennis Paint was willing to accept the Lafarge Contract as awarded to Lafarge, not being able to get the necessary signature(s), she suggested we terminate the contract and rebid.

The request was submitted to the user Department (Street) and they agreed to terminate the contract for convenience and rebid.

The request was also submitted to the Legal Department (Ruth Reyes) and she agreed that the contract could be terminated for convenience.

Respectfully

A handwritten signature in black ink that reads "Jesus M. Juarez". The signature is written in a cursive style with a large, stylized "J" and "M".

Jesus M. Juarez

Procurement Analyst

JOE WARDY
MAYOR



PURCHASING DEPARTMENT

Two Civic Center Plaza
EL PASO, TEXAS 79901-1196

July 12, 2004

Lafarge Road Markings, Inc.
Ms Diane Sulak
2803 Old HWY 75 N
Ennis, Texas 75120

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

RE: NOTICE OF INTENT TO TERMINATE
Contract No. 2003-108- TRAFFIC PAINT

Dear Ms Sulak:

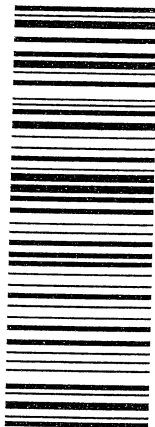
This letter is to advise you that the City Purchasing Department intends to recommend termination for convenience of the referenced Contract effective at 12:00 midnight, July 20, 2004.

The request for termination will be on Mayor and Council's Agenda of Tuesday July 20, 2004 at 9:00 AM.

Very truly yours,

A handwritten signature in cursive script that reads "Jesus M. Juarez".

Jesus M. Juarez
Procurement Analyst



7003 1010 0004 5306 1764
7003 1010 0004 5306 1764

U.S. Postal Service [™]	
CERTIFIED MAIL[™] RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To	
LAFARGE ROAD MARKINGS, INC.	
Street, Apt. No., or PO Box No. 2803 OLD HWY 75 N	
City, State, ZIP+4 ENNIS, TEXAS 75120	
PS Form 3811, June 2001 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LAFARGE ROAD MARKINGS, INC.
2803 OLD HWY 75N
ENNIS, TEXAS 75120

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes